UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/832,319	04/09/2001	Robert Houben	41696/DBP/L379	8790

23363 7590 01/12/2006	EXAMINER
CHRISTIE, PARKER & HALE, LLP PO BOX 7068 PASADENA, CA 91109-7068	NGUYEN BA, PAUL H

ART UNIT	PAPER NUMBER
2176	

DATE MAILED: 01/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/832,319	HOUBEN ET AL.
	Examiner	Art Unit	
	Paul Nguyen-Ba	2176	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *20 October 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-4,7-9,12-14,18,19,24-26,29-31,35-38,41-43,46-49 and 52-55* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-4,7-9,12-14,18,19,24-26,29-31,35-38,41-43,46-49 and 52-55* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1.   A request for continued examination under 37 CFR 1.114, including the fee set

forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this

application is eligible for continued examination under 37 CFR 1.114, and the fee set

forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action

has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on

10/20/2005 has been entered.

2.   Claims 1-4, 7-9, 12-14, 18, 19, 24-26, 29-31, 35-38, 41-43, 46-49, and 52-55 are

currently pending. Claims 1, 7, 18, 24, 35, and 41 are independent claims.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

4.   Claims 1-4, 7-9, 13, 18, 19, 24-26, 31, 35-38, 41-43, 46, 48, and 52-55 are

rejected under 35 U.S.C. 103(a) as being unpatentable over Cascio et al. ("Cascio"), U.S.

Patent Application Publication No. 2002/0091818, in view of Meltzer et al. ("Meltzer"),

U.S. Patent Application Publication No. 2002/0165872.

Regarding independent claim 1, Cascio teaches:

A computer-implemented method for processing an incoming document
(see Abstract), *comprising*:

> *providing, under control of the computer, at least one personality
> document, the personality document defining a plurality of business
> operations* (see Fig. 3 – *item* 320; see also [0023], [0025], [0052] →
> defines data extraction (processing) rules, *compare with* "personality
> document") *and a behavior document associated with each business
> operation, each document defining a plurality of actions for conducting
> the associated business operation* (see Fig. 3 – *item* 350; see also [0023],
> [0025], [0052] → compares the defined rules in the rules base to the
> incoming data to see if a match is detected and extracts (i.e. actions) the
> data according to defined rules (i.e. operations), *compare with* "behavior
> document");
>   *accepting... the incoming document* (see [0025] and [0047] →
> extracts data from a legacy data stream (i.e. P2P, Web page documents
> data, etc.));
>   ... ;
>   *reading, under the control of the computer, the personality
> document and testing the (...) incoming document based on the personality
> document for recognizing the incoming document* (see Fig. 3 – *items* 340,
> 350; see also [0025] and [0052] → *compare with* matching rule);
>   *selecting a behavior document based on the recognized incoming
> document* ([0026] and [0052] → associates the rule components (i.e.
> "behavior documents") to a particular template);
>   *routing... incoming document to the selected behavior document*
> (see Fig. 3 and [0052] → moves a packet of data from source (i.e.
> incoming document)to destination (i.e. behavior document)); and
>   *under control of the computer, applying the plurality of actions
> defined in the selected behavior document to the incoming document and
> conducting the business operation associated with the selected behavior
> document* (see [0025], [0026]).

Cascio, suggests a hierarchical representation of the document (see [0068] and

[0070]), but does not explicitly teach:

> *generating...a tree based representation of the incoming*
> *document.*

However, Meltzer teaches:

> *generating...a tree based representation of the incoming document*
> (see [0096] → tree builder takes a stream of XML events and generates a
> tree representation of the underlying document).

Since Cascio and Meltzer are both from the same field of endeavor, the

motivational purpose of enhanced support of queries around a document, reordering of

nodes, creation of new documents, and supporting a data structure in memory from which

the same event stream can be generated multiple times as disclosed by Meltzer would

have been recognized in the pertinent art of Cascio. It would have been obvious at the

time the invention was made to a person having ordinary skill in the art to modify the

teaching of Cascio with the teachings of Meltzer to include generating a tree based

representation of the incoming document.

Regarding claims 2, 13, 19, 30, 36, 46, Cascio teaches:

> extracting complex data components from structured data such as
> XML documents (see [0020], [0047], [0077] → *personality, behavior,*
> *serving,* incoming, working documents).

Regarding claims 3, 4, 8, 9, 25, 26, 37, 38, 42, and 43, Cascio teaches:

> translating the incoming document to a working document and translating the working document to an outgoing document and transmitting the outgoing document via a communication network (see [0040]-[0046]).

With respect to independent claims 7, 24, and 41, please refer to the rationale relied upon to reject substantially similar subject matter in independent claims 1, 18, and 35 as discussed above.

Furthermore, Cascio teaches:

> *selecting a translation document based on the recognized incoming document; translating the incoming document into a working document having a standard document format based on the selected translation document* (see [0077] → i.e. transforming document; see also [0023], [0025], [0052]).

Regarding claims 14, 31, and 48, Cascio teaches:

> extracting complex data components from structured data such as XML documents (see [0020], [0047], [0077] → personality, behavior, serving, *incoming, working* documents); and *the selected translation document is a XSLT document* (see [0077]; see also [0023], [0025], [0052]).

Independent claims 18 and 35 incorporate substantially similar subject matter as independent claim 1, and are rejected along the same rationale.

Claims 52-55 incorporate substantially similar subject matter as independent

claim 1, and are rejected along the same rationale.

5.   Claims 12, 29, 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Cascio et al. ("Cascio"), in view of Meltzer et al. ("Meltzer"), U.S. Patent Application

Publication No. 2002/0165872 U.S. Patent Application Publication No. 2002/0091818, in

further view of Walsh et al. ("Walsh"), U.S. Patent No. 6,810,429.

Regarding claims 12, 29, 46, Cascio does not explicitly teach:

> *actions further include invoking a document parser.*

However, Walsh teaches:

> *actions further include invoking a document parser* (an enterprise
> integration system coupled to a number of legacy data sources wherein the
> documents are parsed (see col. 14 lines 22-26) for the purpose of
> processing XML documents according to the rules).

Since Cascio and Walsh are both from the same field of endeavor, the purposes

disclosed by Walsh would have been recognized in the pertinent art of Cascio. It would

have been obvious at the time the invention was made to a person having ordinary skill in

the art to modify the teaching of Cascio with the teachings of Walsh to include actions

further include invoking a document parser for the purpose of processing XML

documents according to the rules.

6.   Claim 49 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cascio et

al. ("Cascio"), U.S. Patent Application Publication No. 2002/0091818, in view of Meltzer

et al. ("Meltzer"), U.S. Patent Application Publication No. 2002/0165872, in further view

of Chau et al. ("Chau"), U.S. Patent Application Publication No. 2003/0014397.

        Regarding claim 49, Cascio does not explicitly teach:

                the method wherein the personality document includes an XML
        path invoked for testing the tree-based representation of the incoming
        document.

However, Chau teaches:

                the method wherein the personality document includes an XML
        path invoked for testing the tree-based representation of the incoming
        document (see paras [0039], [0042], [0078] → a method for enabling an
        XML collection from existing tables of legacy business data utilizing the
        Xpath standard of the XML language).

        It would have been obvious at the time the invention was made to a person having

ordinary skill in the art to modify the teaching of Cascio with the teachings of Chau to

include an XML path invoked for testing the tree-based representation of the incoming

document for the motivational purpose of addressing parts of an XML document and

navigating through the hierarchical structure of an XML document.

                            Response to Arguments

7.   Applicant's arguments with respect to claims filed on 10/20/2005 have been

considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul Nguyen-Ba whose telephone number is (571) 272-4094. The examiner can normally be reached on 11 am - 7 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on (571) 272-4136. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PNB
1/7/06

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